

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

GLEN HUGHIE LOVIN, JR.,

Petitioner,

v.

TRACY McCOLLUM, Warden,

Respondent.

No. CIV 14-384-RAW-KEW


OPINION AND ORDER
DENYING MOTION FOR EVIDENTIARY HEARING

Petitioner has filed a motion requesting the court to hold an evidentiary hearing on issues concerning his petition for a writ of habeas corpus. “[R]eview under §2254(d)(1) is limited to the record that was before the state court that adjudicated the claim on the merits.” *Cullen v. Pinholster*, 563 U.S.170, ___, 131 S.Ct. 1388, 1398 (2011). Section 2254(d)(1) “requires an examination of the state-court decision at the time it was made. It follows that the record under review is limited to the record in existence at the same time *i.e.*, the record before the state court.” *Id.* Therefore, the documents petitioner wants the court to consider cannot be the subject of an evidentiary hearing.

ACCORDINGLY, petitioner’s motion (Docket No. 12) is DENIED.

IT IS SO ORDERED this 18th day of August 2015.

Dated this 18th day of August, 2015.


Ronald A. White
United States District Judge
Eastern District of Oklahoma